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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/766,519	01/28/2004	Antti Ronkko	944-003.203	2228

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EXAMINER

LAO, LUN YI

ART UNIT	PAPER NUMBER
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2629

SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE
3 MONTHS	01/31/2007	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

Office Action Summary	Application No. 10/766,519	Applicant(s) RONKKO ET AL.	
	Examiner LUN-YI LAO	Art Unit 2629	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 13 November 2006.
- 2a) ☒ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-4 and 6-18 is/are rejected.
- 7) ☒ Claim(s) 5 and 19-20 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>1/28/2004</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. Claims 1-2, 4, 6, 8, 10-11, 13 and 15-16 are rejected under 35 U.S.C. 102(e) as being anticipated by Lilienfeld(6,819,557).

As to claims 1-2, 4, 6, 8, 10-11, 13 and 15, Lilienfeld teaches a stylus comprising: a plurality of elements(e.g. 240) connected together by hinges or joints(e.g. 242) to form part of an accordion-style extendable instrument; and an additional element, connected to the part of the accordion-style extendable instrument by at least one additional hinge or joint(e.g. 242), wherein the additional element has or supports a stylus tip(205) for contacting the touch-sensitive screen(see figures 2B, 3, 6a, 7b; claim 5; column 1, lines 22-29; column 2, lines 49-64; column 4, lines 55-68; column 5, lines 1-12 and lines 58-68; and column 6,lines 1-16).

As to claim 2, Lilienfeld teach the stylus tip(205) is at a distal end of the additional element, and is extendable away from the plurality of elements(see figures 3,

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6a, 7b).

As to claim 4, Lilenfeld teach the plurality of elements mostly have substantially equal length(see figures 3, 6a, 7b)

As to claim 6, Lilenfeld teach a stylus having a spring for automatically extending the stylus(see figures 2a, 3, 6a, 7b and column 4, lines 20-33).

As to claim 8, , Lilenfeld teach a touch-screen activation unit(pen-based computer or a tablet personal computer)(see column 1, lines 21-28 and column 2, lines 50-53).

As to claim 10, Lilenfeld having an extended configuration that is sufficiently flat so that the extended configuration has a depth less than one quarter of a standard number two pencil's depth(see figures 2B, 3, 6a, 7b).

As to claim 11, Lilenfeld teaches amobile terminal comprising: a touch-sensitive screen; a stylus having an accordion style; and an enclosure configured to store the stylus in a folded configuration(see figures 6a-7a, 10a, 10b).

As to claim 13, Lilenfeld teach a stylus comprises a mobile terminal activation unit(PDA)(see figure 2B and column 2, lines 49-53).

As to claims 15 and 18, Lilenfeld teach an extendable accordion-stylus comprising: a plurality of elements; a plurality of hinges or joints(e.g. 242) connecting the plurality of elements; and a tip for contacting at least one part of a mobile terminal(PDA)(see figures 2B, 6a-7b, 10a, 10b; column 2, lines 49-63; column 4, lines 55-68 and column 5, lines 1-11 and lines 58-68 and column 6, lines 1-16).

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As to claims 15-18, Lilenfeld teaches the plurality of elements comprises at least two sets of elements, the elements(215) of each set being substantially mutually parallel to each other, in both an extended configuration of the stylus and a storage configuration of the stylus(see figures 3, 6a-6b; column 5, lines 58-68 and column 6, lines 1-6).

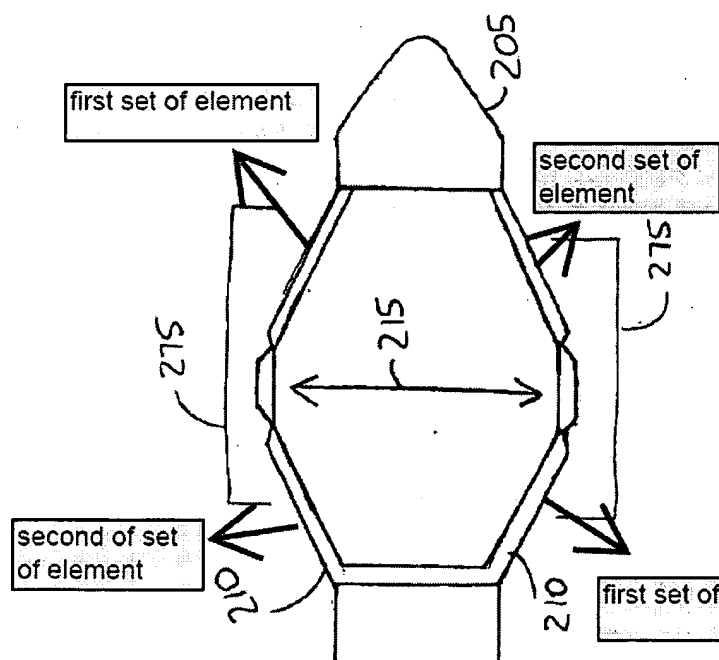


Fig. 6a

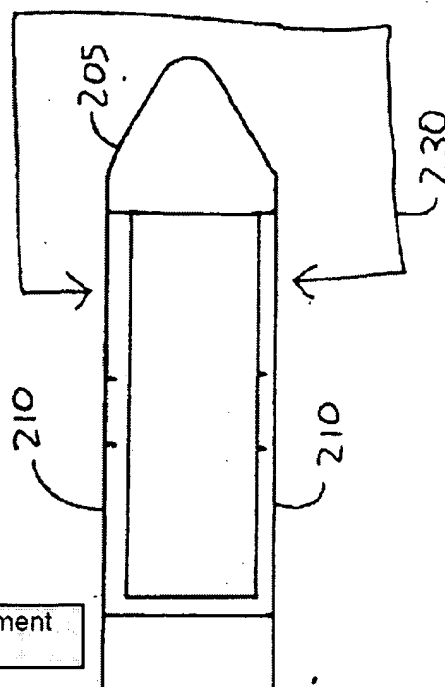


Fig. 6b

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claim 3 is rejected under 35 U.S.C. 103(a) as being unpatentable over Lilenfeld in view of Kable(4,695,680).

As to claim 3, Lilenfeld fail to disclose a stylus having a point that is blunt to contact the touch-sensitive screen without scratching.

Kable teaches a stylus a stylus having a point cover by a plastic material to avoid scratching the touch-sensitive screen(see column 3, lines 3-21). It would have been obvious to have modified Lilenfeld with the teaching of Kable, so as to protect the touch screen from the scratching.

5. Claims 9, 12 and 14 is rejected under 35 U.S.C. 103(a) as being unpatentable over Lilenfeld in view of Russell et al(6,703,570).

As to claims 9, 12 and 14, Lilenfeld fails to disclose a tether for tethering the stylus to a mobile terminal and an activation key.

Russell et al teach a stylus(14) can be tethered to a mobile terminal(16)(see figures 1-2; column 5, lines 50-65) and an activation key(38)(see figures 1-2 and column 5, lines 9-31). It would have been obvious to have modified Lilenfeld with the teaching of Russell et al, as the stylus could not get lose.

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6. Claim 7 is rejected under 35 U.S.C. 103(a) as being unpatentable over Lilenfeld in view of Liu et al(6,914,596).

Lilenfeld fails to disclose a button for activating the spring.

Liu et al teach a button(211) for activating the spring(220)(see figures 2B-2C and column 3, lines 8-21). It would have been obvious to have modified Lilenfeld with the teaching of Liu et al, so a user could be more easy to control the spring.

Allowable Subject Matter

7. Claims 5 and 19-20 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Response to Arguments

8. Applicant's arguments filed November 13, 2006 have been fully considered but they are not persuasive.

Applicants argue that Lilenfeld do not teach an accordion-style extendable instrument on page 5. The examiner disagrees with that since Lilenfeld teaches an accordion-style extendable instrument(see figures 6a-7b) and the definition of "accordion" is having a fold or folds like the bellows of an accordion(see <http://dictionary.reference.com/>).

Applicants argue that Lilienfeld do not teach at least one additional hinge or joint on page 5. The examiner disagrees with that since Lilienfeld teach one additional hinge or joint(see figures 3, 6a; column 5, lines 3-11; column 7, lines 45-52 and claim 5).

Conclusion

9. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Hiromori(4,738,558) teaches an accordion style pen.

Siebert(DE 003940350) teaches a display board having an accordion structure(see figure 4).

10. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

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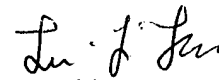
11. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Lun-yi Lao whose telephone number is 571-272-7671.

The examiner can normally be reached on M-F.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Bipin Shalwala can be reached on 571-272-7681. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

January 29, 2006



Lun-yi Lao

Primary Examiner